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Via ECF

Judge Diane Gujarati
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Marquez v. Indian Taj, Inc., et als.
Case No. 20-CV-05855

Dear Judge Gujarati:

We represent defendant Joginder Singh in the above referenced matter. Yesterday we filed an Order to Show Cause on ECF seeking to vacate a default against Mr. Singh and dismiss all claims against him. The Order to Show Cause also sought a temporary restraining order preventing the plaintiff from taking any further steps to enforce the judgment (Mr. Singh's account has already been restrained) until this Court has had an opportunity to address the pending motion. We are aware that Your Honor's Rules normally require a pre-motion conference before a Rule 12(b) motion can be made. However, because of the exigent circumstances, and the fact that the Rule 55(c) and 60(b)(4) prongs of the motion must be decided before the Rule 12(b) prongs can be addressed, no request for a pre-motion conference was submitted before the order to show cause was filed yesterday.

Should the Court still require a pre-motion conference before addressing the Rule 12(b) prongs of the motion, we respectfully request that it be scheduled as soon as possible to avoid further imminent harm and seizure of Mr. Singh's assets before this Court has ruled on the motion.

Thank you in advance for your consideration.

Respectfully submitted,

Vincent T. Pallaci

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